

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ALISON RAY,

Plaintiff,

Case No. 2:18-cv-03303-TR

v.

Magistrate Judge Timothy R. Rice

AT&T MOBILITY SERVICES LLC,

Defendant.

**AMENDED NOTICE OF APPEAL TO THE U.S. COURT OF APPEALS
FOR THE THIRD CIRCUIT**

Pursuant to Federal Rules of Appellate Procedure 3 and 4, notice is hereby given that defendant AT&T Mobility Services LLC appeals to the United States Court of Appeals for the Third Circuit from the final judgment entered by the United States District Court for the Eastern District of Pennsylvania on December 9, 2021, (ECF 166); from the Order entered on February 22, 2022, (ECF 174), denying AT&T Mobility Services LLC's Motion for Judgment as a Matter of Law and Motion for a New Trial; and from the Order entered on January 11, 2019, (ECF 29), granting plaintiff's Partial Motion for Summary Judgment and denying defendant's Cross-Motion for Partial Summary Judgment on Count II of the Complaint.*

* Defendant timely filed an initial Notice of Appeal within the timeframe prescribed by Fed. R. App. P., Rule 4(a)(1)(A) on January 10, 2022 (ECF 168). Post-trial motions and oppositions were filed on January 14, 2022, and February 14, 2022, respectively. (ECF 170 & 171.) The post-trial motion having now been decided, Defendant amends and renews this Notice of Appeal pursuant to Fed. R. App. P., Rule 4(a)(4)(B)(i).

Dated: February 28, 2022

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'K. Gage', is written over a horizontal line.

Kenneth W. Gage*

Sara B. Tomezsko*

Paul Hastings LLP

200 Park Avenue

New York, NY 10166

(212) 318-6000

kennethgage@paulhastings.com

saratomezsko@paulhastings.com

* *Admitted pro hac vice*

James Bucci

Genova Burns LLC

1600 Market Street

Suite 3800

Philadelphia, PA 19103

(215) 564-0444

jbucci@genovaburns.com

Attorneys for Defendant

AT&T Mobility Services LLC

CERTIFICATE OF SERVICE

I, Sara B. Tomezsko, hereby certify that on February 28, 2022, I caused a copy of the foregoing Amended Notice of Appeal to the U.S. Court of Appeals for the Third Circuit to be filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by email to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF system.



Sara B. Tomezsko